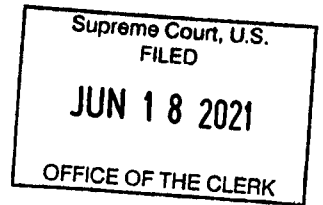


No. **21-5036** ORIGINAL

IN THE  
SUPREME COURT OF THE UNITED STATES



**MARK McCUNE** — PETITIONER  
(Your Name)

VS.  
**PHH MORTGAGE** — RESPONDENT(S)

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

The petitioner asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis*.

Please check the appropriate boxes:

☒ Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court(s):  
**AZ SUPREME CT. / AZ COURT OF APPEALS DIV 2**  
**+ PIMA COUNTY SUPERIOR COURT**  
**ALL COURTS ARE IN ARIZONA**

☐ Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

☐ Petitioner's affidavit or declaration in support of this motion is attached hereto.

☐ Petitioner's affidavit or declaration is **not** attached because the court below appointed counsel in the current proceeding, and:

☐ The appointment was made under the following provision of law: \_\_\_\_\_, or

☐ a copy of the order of appointment is appended.

**Mark McCune**  
**Mark McCune**  
(Signature)

FOR WRIT

June 10 2021

CASE NUMBER , .....

IN THE SUPREME COURT OF THE UNITED STATES

RE Application For MOTION ~~STAY AND INJUNCTION~~

AS PER RULE 23 See 28 U. S. C. § 2101(f)

TO PROCEED IN FORMA PAUPEROUS

THE NAMES OF COURTS THAT LAST

Denied my previous motions for Stay and injunction  
are

From ARIZONA SUPREME COURT CV -21- 0056

From ARIZONA COURT OF APPEALS Division 2

CASE No. 2 CA CV 2019 0211

MARK W MCCUNE , From Superior Court Tucson Cause no. C 2019 5500

Plaintiff PETITIONER Pro per , Pro se

Vs, Defendants, RESPONDENT(S)

PHH MORTGAGE et al ,

NOVA HOME LOANS

WESTERN PROGRESSIVE ,

Plaintiff Mark McCunes Reason for this motion to Stay is to stop the july 8th 2021 forcloser  
on my house because no lender or bank is owed money,

A Fraudulent assingment of deed of trust was recorded on 2131 n Frannea, April 1st 2016 by Nova  
home loans

plaintiff Mark McCune has 2 letters from Nova home loans and Wells fargo showing there is no loan  
on my house , see key exhibits 2 , 11

there has never been a trial or judgement as to any moneys owed . there are no monies owed to  
anyone

phh mortgage is claiming to service a mortgage and trying to forclose on a mortgage that does not exist ,

Mark McCune  
ATTACHMENT

Mark McCune

1. For both you and your spouse, estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

Income Source	Average monthly amount during the past 12 months		Amount expected next month	
	You	Spouse	You	Spouse
Employment	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
Self-Employment	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
Income from real property (such as rental income)	\$ <input type="text" value="675"/>	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
Interest and Dividends	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
Gifts	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
Alimony	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
Child Support	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
Retirement (such as social security, pensions, annuities, insurance)	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
Disability (such as social security, insurance payments)	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
Unemployment Payments	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
Public-Assistance (such as welfare)	\$ <input type="text" value="190"/>	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
Other (specify) <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>
<b>TOTAL MONTHLY INCOME:</b>	\$ <input type="text" value="865"/>	\$ <input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>

Feedback or questions about this form? Email us at [forms@ca9.uscourts.gov](mailto:forms@ca9.uscourts.gov)

2. List your employment history for the past two years, most recent employer first.  
(Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of Employment		Gross Monthly Pay
none		From	na	\$ <input type="text"/>
		To	na	
none		From	<input type="text"/>	\$ <input type="text"/>
		To	<input type="text"/>	
		From	<input type="text"/>	\$ <input type="text"/>
		To	<input type="text"/>	
		From	<input type="text"/>	\$ <input type="text"/>
		To	<input type="text"/>	

3. List your spouse's employment history for the past two years, most recent employer first.  
(Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of Employment		Gross Monthly Pay
no spouse		From	<input type="text"/>	\$ <input type="text"/>
		To	<input type="text"/>	
		From	<input type="text"/>	\$ <input type="text"/>
		To	<input type="text"/>	
		From	<input type="text"/>	\$ <input type="text"/>
		To	<input type="text"/>	
		From	<input type="text"/>	\$ <input type="text"/>
		To	<input type="text"/>	

*Handwritten signature*

4. How much cash do you and your spouse have? \$ 35

Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Financial Institution	Type of Account	Amount You Have	Amount Your Spouse Has
vantage west	checking	\$ 45	\$
		\$	\$
		\$	\$
		\$	\$

If you are a prisoner seeking to appeal a judgment in a civil action or proceeding, you must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishing.

Home	Value	Other Real Estate	Value
\$170,000 house -\$170,000 lien <del>-\$22,000 back taxes</del> NO VALUE	\$ negative- \$02,000	none	\$ neg -\$02,000

Motor Vehicle 1: Make & Year	Model	Registration #	Value
Lincoln 1999	towncar		\$ 150
Motor Vehicle 2: Make & Year	Model	Registration #	Value
			\$

MM

Other Assets	Value
chrome book	\$ 100
tv	\$ 25
vcr	\$ 20

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

Person owing you or your spouse	Amount owed to you	Amount owed to your spouse
none	\$ 0	\$
	\$	\$
	\$	\$

7. State the persons who rely on you or your spouse for support. If a dependent is a minor, list only the initials and not the full name.

Name	Relationship	Age
no one		

*MM*

8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate.

	You	Spouse
Rent or home-mortgage payment (include lot rented for mobile home)	\$ 0	\$
- Are real estate taxes included? <input type="radio"/> Yes <input checked="" type="radio"/> No		
- Is property insurance included? <input type="radio"/> Yes <input checked="" type="radio"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ 100 75 67	\$
Home maintenance (repairs and upkeep)	\$ 50	\$
Food	\$ 400	\$
Clothing	\$ 20	\$
Laundry and dry-cleaning	\$ 10	\$
Medical and dental expenses	\$ 40	\$
Transportation (not including motor vehicle payments)	\$ 45	\$
Recreation, entertainment, newspapers, magazines, etc.	\$ 0	\$
Insurance (not deducted from wages or included in mortgage payments)		
- Homeowner's or renter's	\$	\$
- Life	\$	\$
- Health	\$	\$
- Motor Vehicle	\$ 40	\$
- Other	\$	\$
Taxes (not deducted from wages or included in mortgage payments)		
Specify	\$	\$

*mom*

	You	Spouse
Installment payments		
- Motor Vehicle	\$ 0	\$
- Credit Card (name)	\$ 0	\$
- Department Store (name)	\$ 0	\$
Alimony, maintenance, and support paid to others	\$ 0	\$
Regular expenses for the operation of business, profession, or farm (attach detailed statement)	\$	\$
Other (specify) printer ink for printer	\$ 16	\$
<b>TOTAL MONTHLY EXPENSES</b>	\$ 863	\$

9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months? ☐ Yes ☒ No

If Yes, describe on an attached sheet.

10. Have you spent—or will you be spending—any money for expenses or attorney fees in connection with this lawsuit? ☐ Yes ☒ No

If Yes, how much? \$ 0

11. Provide any other information that will help explain why you cannot pay the docket fees for your appeal.

i was hit head on by a car several years ago when i drove a motorcycle , i injured my hip , back , knee, i have several medical problems and a severe infections on my legs , i had to declare bankruptcy in 2017 and i started recieving Des Arizona medical assistance and food stamps in Feb 2020 i havent been able to work for several years ,  
**I HAVE HAD BLOOD CLOTS IN MY LUNGS AND SOME HEART PROBLEMS**

12. State the city and state of your legal residence.

City Tucson State Arizona

Your daytime phone number (ex., 415-355-8000) 520 358 0386

Your age 58 Your years of schooling 16

2/18/1963

Feedback or questions about this form? Email us at [forms@cc9.uscourts.gov](mailto:forms@cc9.uscourts.gov)